



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/010,970 | 12/06/2001 | Daniel Silverstein | R0144-00003 | 5710 |
| 8933 | 7590 | 09/07/2005 | EXAMINER | |
| DUANE MORRIS, LLP IP DEPARTMENT 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103-4196 | | | SCUDERI, PHILIP S | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2153 | |

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/010,970 | SILVERSTEIN ET AL. |
| | Examiner | Art Unit |
| | Philip S. Scuderi | 2153 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 06 December 2001.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-18 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-18 is/are rejected.
 7) Claim(s) 2,8,12,14 and 18 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 06 December 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 2, 8, and 14 are objected to because of the following informality: “said document a screen portion” in lines 1-2, 2, and 2 respectively. Examiner suggests “said document and a screen portion”.
2. Claim 12 is objected to because of the following informality: “using of wireless access protocol” in lines 1-2. Examiner suggests “using of a wireless access protocol”.
3. Claim 18 is objected to because of the following informality: “to se wireless access protocol” in line 2. Examiner suggests “to use wireless access protocol”.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1-6 and 13-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 1, 2, 13, and 14 recite the limitation “said network resource” in lines 7, 2, 8, and 3 respectively. It is unclear whether Applicant is referring to the first or the second network resource.

Judging from the specification, it is Examiner's best understanding that Applicant meant to refer to the first network resource. The claims will be treated on the merits accordingly.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 7, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke (U.S. 6,397,259, hereinafter "Lincke") in view of Quatrano et al. (U.S. 6,748,420, hereinafter "Quatrano").

9. Regarding claim 1, Lincke teaches a method for providing for a first network resource (180) to facilitate access of a client to content, comprising the steps of:

receiving from a user (column 15 lines 42-55) a request for a document (124) stored at a second network resource (140); and

obtaining the requested document from the second network resource (250-260).

Lincke does not expressly teach that proxy 180 (i.e., the first network resource) performs the following functions:

(a) determining whether the requested document contains instructions for redirecting to a document at a network resource other than said second network resource;

- (b) replacing said instructions with an instruction to redirect to said network resource, and
- (c) providing said document to said user with said replaced instructions.

10. Nonetheless, the above limitations (a-c) are standard functions of a proxy server, as evidenced by Quatrano. In a similar art, Quatrano teaches an example operation of a proxy server wherein hyperlinks to alternate network resources are replaced with references to the proxy server before being sent to the user (column 3 lines 42-61).

11. Given the teachings of Quantrano, it would have been obvious to one of ordinary skill in the art to replace hyperlinks to alternate network resources with references to proxy 180 (i.e., the first network resource) before returning the requested document to the user. The motivation for doing so would have been to off-load some of the server processing from web server 140 (i.e., the second network resource).

12. Regarding claim 7, Lincke teaches a system for providing for a first network resource (180) to facilitate access of a client to content, comprising:

means for requesting (126), in response to a request from a client (124), a document from a second network resource (140).

13. Lincke does not expressly teach that proxy 180 (i.e., the first network resource) comprises means for performing the following functions:

- (a) identifying and rewriting instructions in said document to request a second document from a location other than on said first network resource; and
- (b) providing said document to said client with said rewritten instructions.

14. Nonetheless, the above limitations (a-b) are standard functions of a proxy server, as evidenced by Quatrano. In a similar art, Quatrano teaches an example operation of a proxy server

wherein hyperlinks to alternate network resources are replaced with references to the proxy server before being sent to the user (column 3 lines 42-61).

15. Given the teachings of Quantrano, it would have been obvious to one of ordinary skill in the art to replace hyperlinks to alternate network resources with references to proxy 180 (i.e., the first network resource) before returning the requested document to the user. The motivation for doing so would have been to off-load some of the server processing from web server 140 (i.e., the second network resource).

16. Regarding claim 13, Lincke-Quantrano teaches the method applied to claim 1. Proxy 180 (i.e., the first network resource) must inherently comprise a storage medium having stored therein a plurality of instructions, wherein the plurality of instructions, when executed by a processor at a first network resource, cause the processor to perform the steps of claim 1 in order to perform said steps of claim 1.

17. Claims 2-6 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke in view of Quatrano, and further in view of Gvily (U.S. 2002/0065955).

18. Regarding claims 2, 8, and 14, Lincke-Quatrano teaches the method applied to claim 1, the system applied to claim 7, and the storage medium applied to claim 13. Lincke-Quatrano does not teach providing the user with said document and a screen portion having a link to linked term content on said network resource. Nonetheless, it was well known in the art to scan an HTML document and embed hyperlinks to related term content into the document, as evidenced by Gvily.

19. In a similar art, Gvily teaches a method of objectifying web pages wherein an HTML document is scanned and links to related content are embedded into the document (paragraph 0028). Given the teachings of Gvily, it would have been obvious to one of ordinary skill in the art to scan the requested document and embed links to related content therein, thereby enabling the user to easily navigate to related content.

20. Furthermore, since Quantrano teaches that proxies embed hyperlinks to alternate network resources are replaced with references to the proxy server before being sent to the user, it would have been obvious to do the same with the linked term content, thereby off-loading some of the server processing from the web server that serves the linked content.

21. Regarding claims 3, 9, and 15, Lincke-Quatrano-Gvily teaches the method applied to claim 2, the system applied to claim 8, and the storage medium applied to claim 14. The metadata related to the embedded hyperlinks could clearly comprise the selected terms from the document (e.g., the “About the movie” link in figure 6 could clearly comprise the movie name). The embedded links are custom links received from the user.

22. Regarding claims 4, 10, and 16, Lincke-Quatrano-Gvily teaches the method applied to claim 3, the system applied to claim 9, and the storage medium applied to claim 15. The method, system, and storage medium instructions are capable of performing a search for documents related to the associated term and providing a document including results of said search to the user. If a prior art structure is capable of performing the intended use, then it meets the claim. See *In re Casey*, 370 F.2d 576, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 312 F.2d 937, 939, 136 USPQ 458, 459 (CCPA 1963).

23. Regarding claims 5, 11, and 17, Lincke-Quatrano-Gvily teaches the method applied to claim 3 and the storage medium applied to claim 15. The method, system, and storage medium instructions are capable of providing information relating to availability of products and services associated with said term. If a prior art structure is capable of performing the intended use, then it meets the claim. See *In re Casey*, 370 F.2d 576, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 312 F.2d 937, 939, 136 USPQ 458, 459 (CCPA 1963).

24. Regarding claims 6, 12, and 18, Lincke-Quatrano-Gvily teaches the method applied to claim 3, the system applied to claim 7, and the storage medium applied to claim 13, wherein the providing comprises use of a wireless access protocol (Lincke, column 10 lines 43-44, CML is a wireless access protocol).

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

26. It is noted that Fischer (U.S. 2002/0099852) is not prior art. However, Fischer's subject matter is considered highly relevant to the instant application and was filed only 28 days after the instant application.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 8am-5pm.
28. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
29. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PSS



Dung C. Nhien
Primary Examiner